



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

MAR 26 2004

Mr. Jim Hull, Director  
Water Protection Program  
Water Protection and Soil Conservation Division  
Missouri Department of Natural Resources  
P.O. Box 176  
Jefferson City, Missouri 65102

Dear Mr. Hull:

Re: Approval of Elk River associated TMDLs

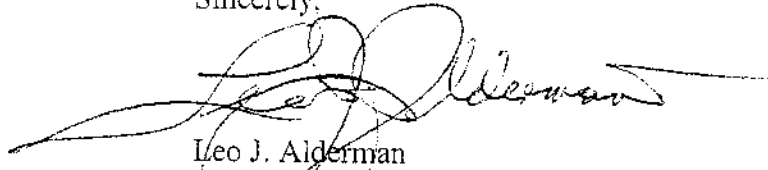
This letter responds to the Missouri Department of Natural Resources (MDNR) submission on January 30, 2004 of a document addressing eleven Total Maximum Daily Loads (TMDLs), which was subsequently revised and resubmitted via e-mail on March, 17, 2004. These TMDLs consist of the following stream segments: Elk River (WBID 3246), Big Sugar Creek (WBID 3250), Little Sugar Creek (WBID 3249), Buffalo Creek (WBIDs 3269 and 3273), Patterson Creek (WBID 3268), Indian Creek (WBID 3256), Middle Indian Creek (WBIDs 3262 and 3263), South Indian Creek (WBID 3259) and North Indian Creek (WBID 3260.) The submitted document is a basin approach for these water bodies which are identified on the 2002 Missouri §303(d) list as impaired for nutrients. The document allocates surrogate targets for phosphorus and nitrogen to address the nutrient impairments.

The Environmental Protection Agency (EPA) has completed its review of this TMDL with supporting documentation and information. By this letter, EPA approves the submitted TMDL including the wasteload allocations and load allocations established for sources in Missouri. Enclosed with this letter is a Region 7 TMDL Review Form which summarizes the rationale for EPA's approval of the TMDL. The EPA believes the separate elements of the TMDL described in the enclosed form adequately address the pollutants of concern through assessment of the loading capacity, consideration of seasonal variation, and a margin of safety.

Under Section 7 of the Endangered Species Act, EPA is currently consulting with the U.S. Fish and Wildlife Service regarding this TMDL. While EPA is approving this TMDL, EPA may decide in the future that changes to the TMDL are warranted based upon the results of the consultation.

EPA appreciates the thoughtful effort that MDNR has put into this TMDL. EPA will continue to cooperate with and assist MDNR in developing future TMDLs.

Sincerely,

A handwritten signature in black ink, appearing to read "Leo J. Alderman", is written over the typed name and title.

Leo J. Alderman  
Director

Water, Wetlands, and Pesticides Division

Enclosure

cc: Phil Schroeder, MO Dept of Natural Resources, Jefferson City, MO